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#3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-1073)

In the Application of:	)	
	)	
Nix, et al.	)	Before the Examiner:
	)	
Serial No. 10/008,331	)	Group Art Unit: 2161
	)	
Filed: December 6, 2001	)	Confirmation No.: 3431
	)	
For: Distributed Resource Metering System for Billing	)	

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
MAILED JANUARY 14, 2002

Box MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

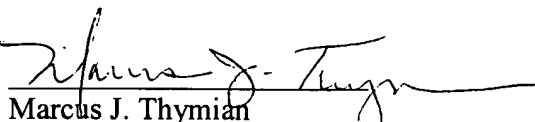
Responsive to the Notice to File Missing Parts of Application, mailed January 14, 2002, Applicants submit herewith an executed copy of their Declaration, pursuant to 37 CFR §§1.63 and 1.68.

Please apply \$65.00 of the enclosed check toward payment of the oath or declaration surcharge as set forth in 37 CFR 1.16(l).

Respectfully submitted,  
McDonnell Boehnen Hulbert & Berghoff

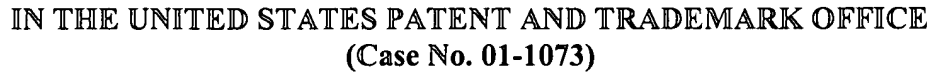
Date: April 15, 2002

By:

  
Marcus J. Thymian  
Reg. No. 43,954

~~MAP/11~~

~~MAP 11~~



Nix, et al.

**Before the Examiner:**

Group Art Unit: 2161

Confirmation No.: 3431

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**In regard to the above-identified application:**


- a. Petition for One-Month Extension of Time
- b. Response to Notice to File Missing Parts of Application
- c. Executed copy of Oath or Declaration (3 copies)
- d. Copy of the Notice to File Missing Parts of Application
- e. Return Receipt Postcard

- a. An additional fee of \$120.00 is required.

- A check in the amount of \$120.00 is enclosed.

- Please charge any deficiency in the amount due, or credit any overpayment, to Deposit Account No. **13-2490**. A duplicate copy of this sheet is enclosed.

- CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to: Box MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231, on this **15th** day of **April, 2002**.

  
 Marcus J. Thymian  
 Reg. No. 43,954



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,331	12/06/2001	John A. Nix	01-1073

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CONFIRMATION NO. 3431

## FORMALITIES LETTER



\*OC000000007305091\*

Date Mailed: 01/14/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/24/2002 NROCHA1 00000046 10008331

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